

REMARKS

Petition for Extension of Time Under 37 CFR 1.136(a)

It is hereby requested that the term to respond to the Examiner's Action of September 18, 2008 be extended two months, from December 18, 2008 to February 18, 2009.

The Commissioner is hereby authorized to charge the extension fee, and any additional fees associated with this communication to Deposit Account No. 50-4364.

In view of the foregoing amendments and following remarks response to the Non-final Office Action dated September 18, 2008, Applicant respectfully requests favorable reconsideration of this application.

Claims 1, 3, 4, 6, 7, 9-17, 19 and 20 were pending in this application. Applicant offers no amendments to the claims herein.

Accordingly, claims 1, 3, 4, 6, 7, and 9-17, 19, and 20 remain pending in this application. Claims 1, 7, 14, and 17 are independent.

Allowable Subject Matter

On page 4 of the Office Action, the Office has indicated that claims 1, 3-4, 6-7, 9-13, 17, and 19-20 are allowed. Applicant thanks the Office for this indication of allowable subject matter.

Rejection under 35 U.S.C. §103

The Office rejected claims 14 and 16 as obvious over Gerlach in view of Khabbaz.

In view of the following remarks, Applicant respectfully requests favorable reconsideration of this application.

Applicant respectfully thanks the Office for withdrawing the previous rejections and for indicating that claims 1, 3, 4, 6, 7, 9-13, 17, 19, and 20 are allowed and that claim 15 is merely objected to as depending from a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Currently, only claims 14 and 16 stand rejected. Particularly, the Office rejected claims 14 and 16 under 35 USC 103(a) as being unpatentable over Gerlach in view of Khabbaz. Claim 14 is an independent claim. Claim 16 depends from claim 14. Claim 14 recites, *inter alia*, “a plurality of integrated circuit switching elements ... at least some of the integrated circuits retain elements arranged in cascaded fashion ...”

In the rejection of claims 14 and 16, the Office uses the Gerlach reference as its primary reference but concedes that Gerlach “fails to teach at least some of the integrated circuits switching elements arranged in cascaded fashion in order to reduce signal insertion loss.” However, the Office asserts that Khabbaz teaches this feature in figure 8 and column 6, line 55-column 7, line 40 and that it would have been obvious to incorporate the teachings of Khabbaz into the teachings of Gerlach for the purpose of amplifying weak received signals to place the signal within the optimum signal amplitude range wherein high gain, high linearity, and low noise figure are desirable.

Applicant respectfully traverses. Khabbaz does not teach a cascaded switching arrangement in the manner that the term “cascaded” is used in the present application. Particularly, as can be seen in Figure 8 of Khabbaz, the two FETs 8 and 108 in Figure 8 that are referred to as being in a “cascade configuration” in column 6, line 61 of Khabbaz are arranged so that the current path of the first stage transistor 8 is coupled, through a capacitor 50, to the gate of second stage transistor 108 in order to provide greater amplification. See column 6, line 63-column 7, line 8.

In the present invention, on the other hand, the term “cascaded” is being used in a different manner. Particularly, as can be seen in Figures 2 and 4 and as described in paragraphs 18 and 19 of the present specification, what is meant in the present application by the term “cascaded” is that the current path of a first stage transistor, e.g. transistor 19 in Figure 2, feeds the current path of multiple second stage transistors, e.g. transistors 20 and 22. Particularly, as can be seen in the exemplary embodiment shown in Figure 2, the gates of all three of these transistors are coupled to a source voltage V_{LO} or V_{HI} and one of the output current path terminal (source or drain) of first stage transistor 19 is coupled to the input current path terminal (drain or source) of both of the second stage transistors 20 and 22.

Thus, it should be clear that Applicant is using the term “cascaded” in a manner completely different than Khabbaz.

It is well established law that an Applicant is permitted to be his or her own lexicographer. The fact that a prior reference uses the same term to convey a

completely different concept does not render that reference relevant. Obviously, in the context of patents, it is the similarity of the concepts that is significant, not the similarity of the words.

There can be little doubt that Applicant's use of the terms "cascade" and "cascaded" does not encompass the arrangement of transistors 8 and 108 in Figure 8 of Khabbaz.

Accordingly, claims 14 and 16 patentably distinguish over the proposed combination of Gerlach and Khabbaz. Khabbaz's transistors are not "cascaded" as that term is used on the present application.

Furthermore, the proposed combination of Gerlach and Khabbaz is unobvious in any event.

According to the language of claim 14, the "circuit switching elements" that are "arranged in cascaded fashion in order to reduce signal insertion loss" are "controllable to connect one of the transmitter ports or one of the receiver ports to the antenna port while isolating the remaining ones of the transmitter and receiver ports from the antenna port."

It is not seen how Khabbaz's multiple gain stage comprising transistors 8 and 108 can be substituted into Gerlach to achieve such switching. Clearly, Khabbaz's "cascaded" gain stage would increase gain, exactly as described in Khabbaz, but it is not seen how it could possibly achieve any switching as claimed in claim 14. At a minimum, in Figure 8 of Khabbaz, there is only one input port (reference numeral 1) and one output port (reference numeral 2). Thus, it does not appear that Khabbaz's circuit could even be used as a

switching element "to connect one of the transmitter ports or one of the receiver ports to the antenna port while isolating the remaining ones of the transmitter and receiver ports from the antenna port". There is only one transistor in the second stage, transistor 108.

Hence, the proposed combination of Khabbaz with Gerlach is unobvious.

Claim 16 patentably distinguishes over the prior art at least by virtue of the fact that it depends from claim 14.

In view of the foregoing remarks, this application is now in condition for allowance. Applicant respectfully requests the Office to issue a Notice of Allowance at the earliest possible date. Applicant further invites the Office to contact Applicant's undersigned representative in order to further the prosecution of this application in any way.

Respectfully submitted,

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